

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

ISAIAH N WILLIAMS,

No. C 07-04464 CW (LB)

Plaintiff,

v.

**ORDER RE DISCOVERY  
SUBMITTED FOR *IN CAMERA*  
REVIEW**

D WILLIAMS,

Defendant.

On December 9, 2010, Judge Claudia Wilken, the presiding judge in this action, issued an order granting in part and denying in part Plaintiff Isaiah William's motion to compel discovery from Defendant D. Williams and referring the case to the undersigned for purposes of discovery. ECF No. 54. In granting Plaintiff's motion in part, Judge Wilken directed Defendant to do the following: (1) produce to the undersigned all excessive force complaints against Defendant within the last five years and the answers to Plaintiff's interrogatories nos. 1, 2, 5, 8, 9, 10, 11, 12, and 13 for *in camera* review to weigh Defendant's objection based on privilege against Plaintiff's interest in having access to the personnel file, as well as the answers to the interrogatories (*id.*, at 4-5); and (2) respond to Plaintiff's interrogatories nos. 3, 4, and 6, and his request for production no. 4 by producing to the undersigned her answers to the interrogatories and the responsive documents for *in camera* review.

In accordance with Judge Wilken's Order, Defendant has now submitted for *in camera* review the following: (1) "Amended Response to Request for Production of Documents (Set One) Pursuant to Discovery Order;" (2) "Amended Response to Plaintiff's Interrogatories, Set One Pursuant to

1 Discovery Order;” and (3) “Second Amended Response to Request for Production of Documents  
2 (Set One) Pursuant to Discovery Order.”

3 The Court has reviewed Defendant’s amended responses in light of both her prior responses that  
4 were the subject of Plaintiff’s Motion to Compel and Judge Wilken’s Order. While it appears that  
5 Defendant has withdrawn her objections to many of the interrogatories and document requests, to  
6 the extent that Defendant believes that any of the objections and/or privileges that Judge Wilken  
7 identified in her Order are still applicable, and to assist the Court in weighing such privileges against  
8 Plaintiff’s right to discovery of such information, this Court directs Defendant to file a letter brief  
9 identifying which privileges she is still asserting. For example, in response to Plaintiff’s request for  
10 production no. 4, Defendant has produced documents regarding internal prison policies. Defendant  
11 previously argued that the documents raised security concerns and should be protected from  
12 production. *See* ECF No. 52 at 4. In her Order, Judge Wilken directed Defendant to produce the  
13 responsive documents to this Court for *in camera* review so that it may evaluate whether they  
14 contain information that would raise security concerns if disclosed. *See* ECF No. 54 at 5. In order  
15 to make this determination, Defendant must first specifically identify what information in the  
16 documents implicates security issues and cite legal authority supporting her position that such  
17 documents should be protected from production. This process of identifying what is objected to and  
18 the legal ground supporting Defendant’s position should be followed for each privilege or objection  
19 that Defendant is asserting.

20 Accordingly, the Court **HEREBY ORDERS** Defendant to submit a letter brief identifying the  
21 privileges and/or objections she is asserting in conjunction with the amended responses and answers  
22 she has submitted to this Court for *in camera* review. Defendant’s letter brief shall be submitted no  
23 later than January 17, 2011.

24 **IT IS SO ORDERED.**

25  
26 Dated: January 7, 2011



27 LAUREL BEELER  
28 United States Magistrate Judge